

DEVAL L. PATRICK  
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COMMISSIONER

The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
William A. Hinton State Laboratory Institute  
305 South Street, Jamaica Plain, MA 02130  
Bureau of Laboratory Sciences

05-18-11

Dear ADA Clayton:

Enclosed is the discovery packet for Commonwealth V. [REDACTED] Enclosed are copies of the following information:

1. The Drug Laboratory Receipt
2. The Drug Laboratory Control Card
3. The Drug Powder Analysis Form
4. The GC/MS Confirmatory Data and Kate's Gas Chromatography results.

Kate Corbett was the primary chemist for this case. I was the confirmatory chemist. If you would like to discuss this case, please feel free to call me directly at the number below.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Piro".

Peter Piro  
GC/MS Laboratory Supervisor I  
Department of Public Health  
Hinton State Laboratory Institute  
Forensic Drug Laboratory, Rm 361  
305 South Street  
Jamaica Plain, Ma 02130  
617-983-6634  
Peter.Piro@state.ma.us

**Piro, Peter (DPH)**

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**From:** Clayton, David (NOR)  
**Sent:** Friday, May 13, 2011 11:37 AM  
**To:** Piro, Peter (DPH)  
**Subject:** RE: [REDACTED]

Hi Peter:

I just realized that I never got the lab file for this case? Is this something that you could help me with?  
Lab number is [REDACTED]

Thanks,  
Dave

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**From:** Piro, Peter (DPH)  
**Sent:** Tuesday, April 05, 2011 6:58 AM  
**To:** Clayton, David (NOR)  
**Subject:** RE: [REDACTED]

Hi David,  
Kate will be on maternity leave until September. Let me know how this will affect your case.  
Peter

---

**From:** Clayton, David (NOR)  
**Sent:** Monday, April 04, 2011 5:15 PM  
**To:** Piro, Peter (DPH); Corbett, Kate (DPH)  
**Subject:** [REDACTED]

Hi Peter and Kate:

I wanted to touch base on the [REDACTED] case which is scheduled for trial this Wednesday in Middlesex Superior Court in Woburn. The court is currently empanelling two separate murder trials, so things are a little backed up this week in terms of trials. One of those trials is actually in the session that the [REDACTED] case is scheduled to be in. It is possible, however, that we might be sent to another session for trial. If we do begin on Wednesday, I would expect that I would not need you until Thursday at the earliest, and likely Friday. Please let me know how your schedules are looking. I am in court tomorrow afternoon for a final PTC so I should know more re the schedule then.

Thanks,  
Dave

David E. Clayton  
Assistant District Attorney

Middlesex District Attorney's Office  
63 Fountain Street  
Framingham, MA 01702  
Tel: 781-897-8800  
Fax: 781-897-8801

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**PLEASE PRINT CLEARLY OR TYPE ALL INFORMATION**



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services

Boston Drug  
Laboratory  
Tel (617) 983-6622  
Fax (617) 983-6625

**Boston Hours**  
8:00 – 11:00  
2:00 – 4:00

## Department of Public Health State Laboratory Institute

Amherst Drug  
Laboratory  
tel (413) 545-2601  
fax (413) 545-2608

**Amherst Hours**  
9:00 – 12:00  
1:00 – 4:00

## DRUG RECEIPT

**City or Department:** FRAMINGHAM POLICE

Police Reference No.:

Name and Rank of Submitting Officer: OFF ALAN VUBESHTER #177

**Defendant(s) Name (last, first, initial)**

10/20/1960

09/06/1972

12/15/1974

Description of Samples	To be completed by Lab Personnel	
Description of Samples	Gross Weight	Lab Number
A: SPs w/ plastic bottle cap w/ burnt residue.	4.05 gm	
B: SPB w/ two yellow wax paper packets w/ powder residue.	1.76 gm	
C: SPB w/ one yellow wax paper packet w/ powder residue.	1.61 gm	
D: SPB w/ one yellow wax paper packet w/ powder residue	1.61 gm	

Received by:

Date:

12-13-86

Prelim: Heroin Date Analyzed: 03-09-07

No. [REDACTED]

City: TAUNTON Framingham

Def: [REDACTED]

Am't: Sub: RES Cont: 1 BOTTLE CAP  
#TESTED: DubeShiter  
Date Rec: 12/13/2006 From: DET. JAMES DYKAS

Gross Wt: 4.05

# Tests: 5/AC  
2 PP, P

Net Weight:

FINDINGS: Heroin

QUANT:

# DRUG POWDER ANALYSIS FORM

SAMPLE # XXXXXXXXXXAGENCY FraminghamANALYST KACNo. of samples tested: 1Evidence Wt. OK**PHYSICAL DESCRIPTION:**

1 bottle cap w/ very  
light brown residue  
Rinsed cap w/ methanol

Gross Wt ( ): —Gross Wt ( ): —Pkg. Wt: —Net Wt: —

\* Submitted w/ XXXXXXXXXX

XXXXXXXXXX

(RES-29bs)  
(RES-1gb)  
(RES-1gb)

NOT  
TESTED

**PRELIMINARY TESTS****Spot Tests**

Cobalt Thiocyanate ( ) +  
Marquis +  
Froehde's +  
Mecke's +

**Microcrystalline Tests**

Gold Chloride \_\_\_\_\_  
TLTA ( ) \_\_\_\_\_

**OTHER TESTS**

GC = + for heroin  
Compared to heroin std

**PRELIMINARY TEST RESULTS**

RESULTS Heroin  
DATE 3/5/07

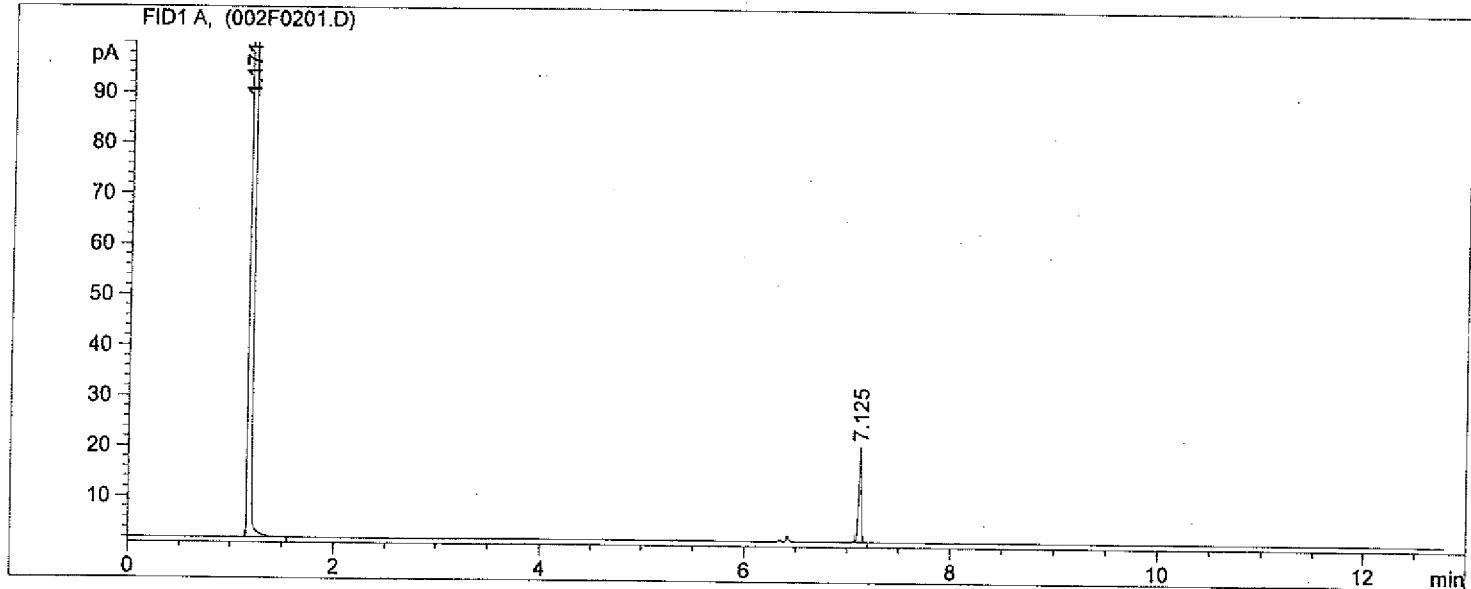
**GC/MS CONFIRMATORY TEST**

RESULTS Heroin (xylazine)  
MS OPERATOR P. P. M  
DATE 3/9/07

=====
 Injection Date : 3/5/2007 5:56:52 PM
 Seq. Line : 2
 Sample Name : HEROIN STD
 Vial : 2
 Acq. Operator : ASD
 Inj : 1
 Inj Volume : 1  $\mu$ l

Sequence File : C:\HPCHEM\1\SEQUENCE\DCS.S
 Method : C:\HPCHEM\1\METHODS\ROUTINE.M
 Last changed : 2/1/2007 3:25:34 PM by ASD

## FOR UNKNOWN SAMPLES



## Area Percent Report

Sorted By : Signal
 Multiplier : 1.0000
 Dilution : 1.0000

Signal 1: FID1 A,

Peak #	RetTime [min]	Type	Width [min]	Area [pA*s]	Height [pA]	Area %
1	1.171	PB S	0.0189	2.49058e4	2.16635e4	99.86500
2	7.125	BB	0.0277	33.66916	18.93662	0.13500

Totals : 2.49395e4 2.16824e4

Results obtained with enhanced integrator!

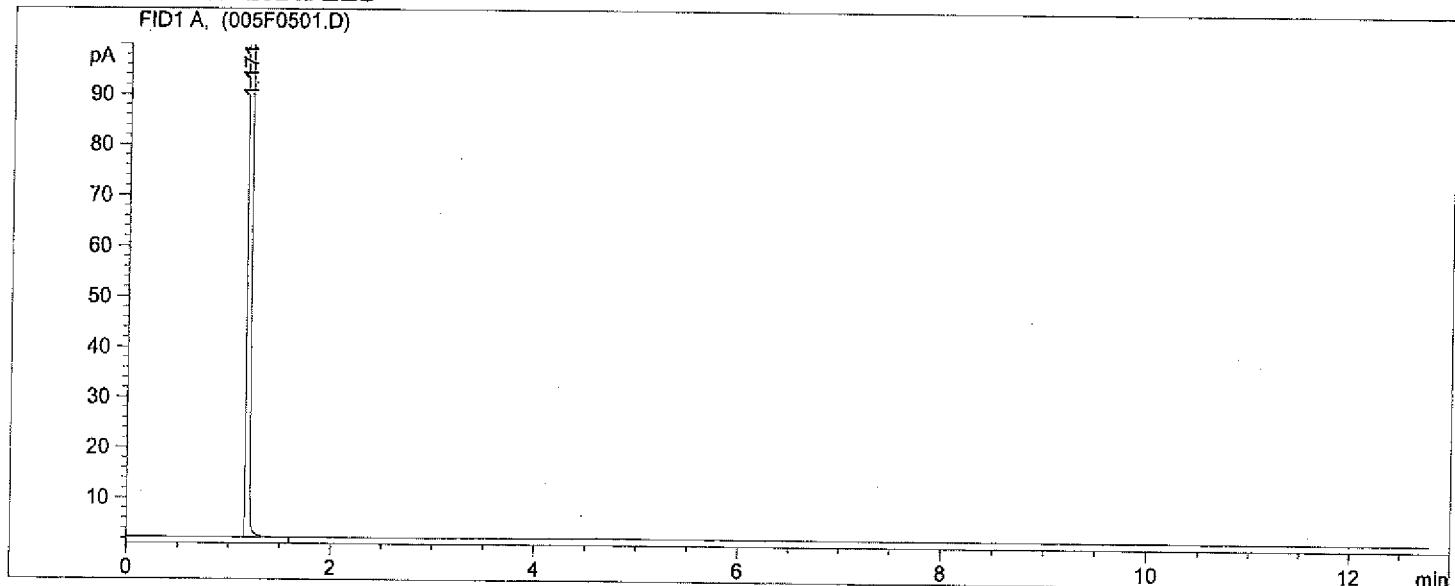
\*\*\* End of Report \*\*\*

=====

Injection Date : 3/5/2007 6:51:51 PM Seq. Line : 5  
Sample Name : BLANK Vial : 5  
Acq. Operator : ASD Inj : 1  
Inj Volume : 1  $\mu$ l

Sequence File : C:\HPCHEM\1\SEQUENCE\DCS.S  
Method : C:\HPCHEM\1\METHODS\ROUTINE.M  
Last changed : 2/1/2007 3:25:34 PM by ASD

## FOR UNKNOWN SAMPLES



## Area Percent Report

Sorted By : Signal  
Multiplier : 1.0000  
Dilution : 1.0000

Signal 1: FID1 A,

Peak #	RetTime [min]	Type	Width [min]	Area [pA*s]	Height [pA]	Area %
1	1.171	BB S	0.0181	2.60052e4	2.32104e4	1.000e2

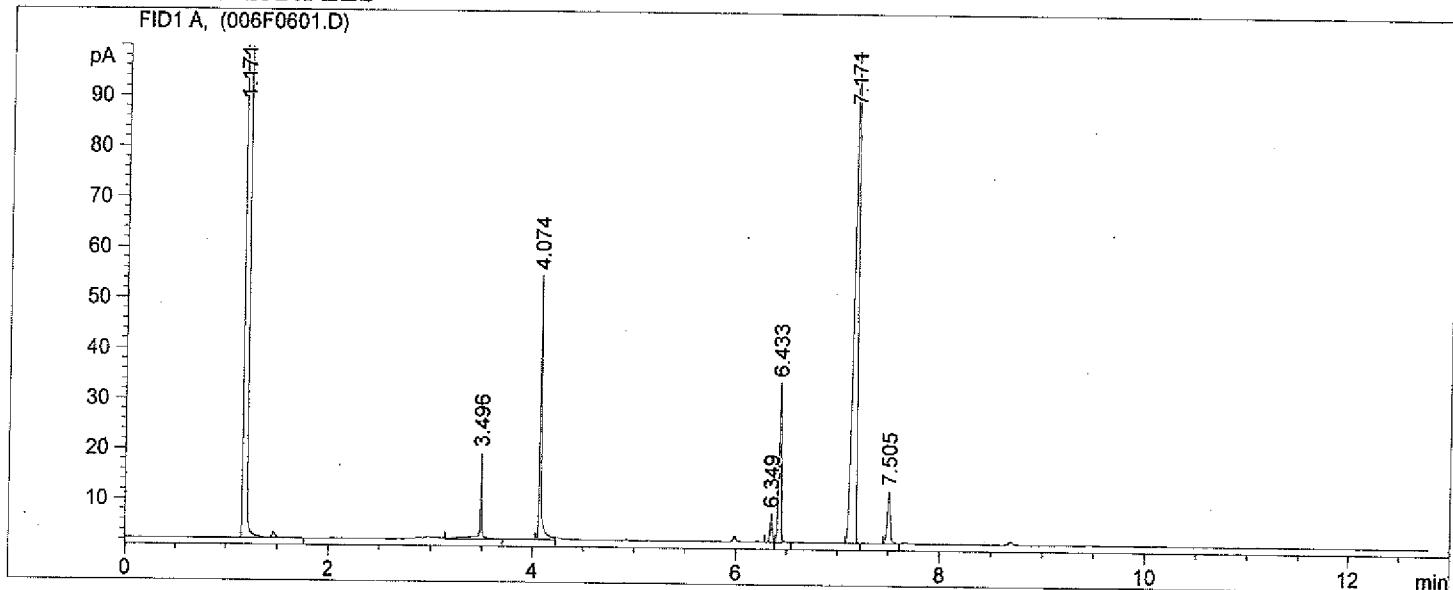
Totals : 2.60052e4 2.32104e4

Results obtained with enhanced integrator!

=====  
\*\*\* End of Report \*\*\*

=====
 Injection Date : 3/5/2007 7:10:12 PM
 Seq. Line : 6
 Sample Name : [REDACTED]
 Vial : 6
 Acq. Operator : ASD
 Inj : 1
 Inj Volume : 1  $\mu$ l
 Sequence File : C:\HPCHEM\1\SEQUENCE\DCS.S
 Method : C:\HPCHEM\1\METHODS\ROUTINE.M
 Last changed : 2/1/2007 3:25:34 PM by ASD

## FOR UNKNOWN SAMPLES



## ===== Area Percent Report =====

Sorted By : Signal
 Multiplier : 1.0000
 Dilution : 1.0000

Signal 1: FID1 A,

Peak #	RetTime [min]	Type	Width [min]	Area [pA*s]	Height [pA]	Area %
1	1.171	PB S	0.0190	2.62601e4	2.27759e4	98.37487
2	3.496	VV	0.0212	25.37389	17.17626	0.09505
3	4.074	VV	0.0180	63.19674	52.48487	0.23675
4	6.349	VV	0.0228	8.20176	5.68844	0.03073
5	6.433	VB	0.0253	51.12760	31.69762	0.19153
6	7.171	BV	0.0358	263.98853	103.43044	0.98894
7	7.505	BV	0.0327	21.92216	10.35441	0.08212

Totals : 2.66940e4 2.29967e4

Results obtained with enhanced integrator!

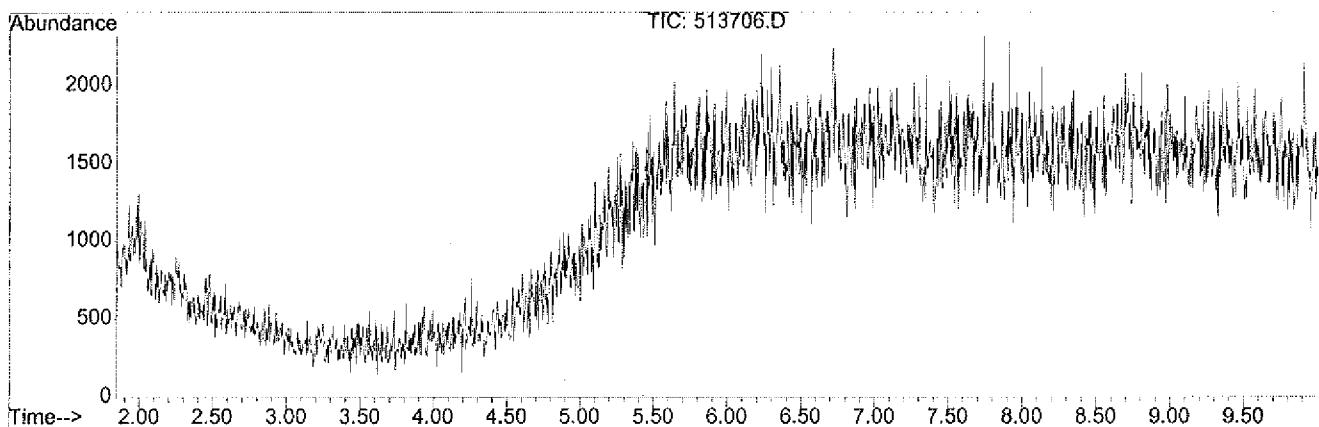
=====
 \*\*\* End of Report \*\*\*
 =====

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Information from Data File:

File Name : E:\SYSTEM4\03\_08\_07\513706.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 12:28  
Sample Name : BLANK  
Submitted by :  
Vial Number : 1  
AcquisitionMeth: DRUGS  
Integrator : RTE

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Ret. Time	Area	Area %	Ratio %
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\*\*\*NO INTEGRATED PEAKS\*\*\*

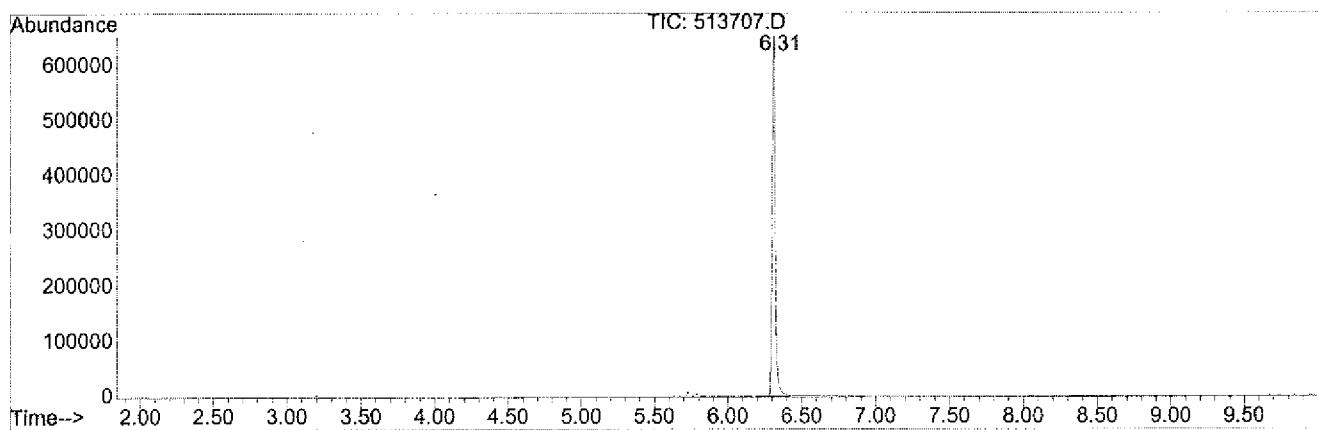
# Area Percent / Library Search Report

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**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513707.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 12:42  
Sample Name : HEROIN STD  
Submitted by :  
Vial Number : 7  
AcquisitionMeth: DRUGS  
Integrator : RTE

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Ret. Time	Area	Area %	Ratio %
6.313	944854	100.00	100.00

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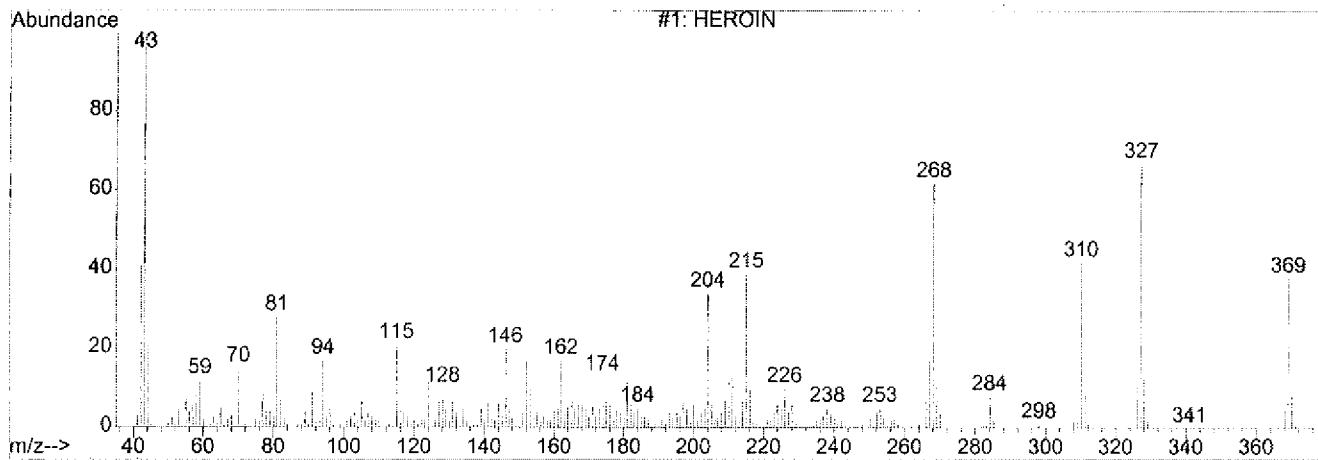
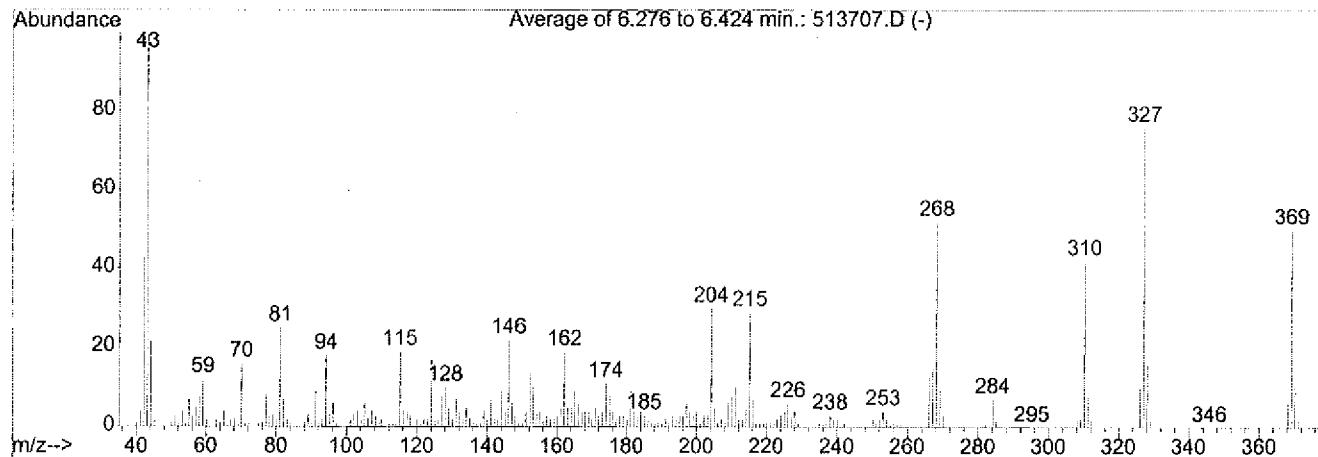
# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513707.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 12:42  
Sample Name : HEROIN STD  
Submitted by :  
Vial Number : 7  
AcquisitionMeth: DRUGS  
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
1	6.31	C:\DATABASE\SLI.L HEROIN	000561-27-3	99

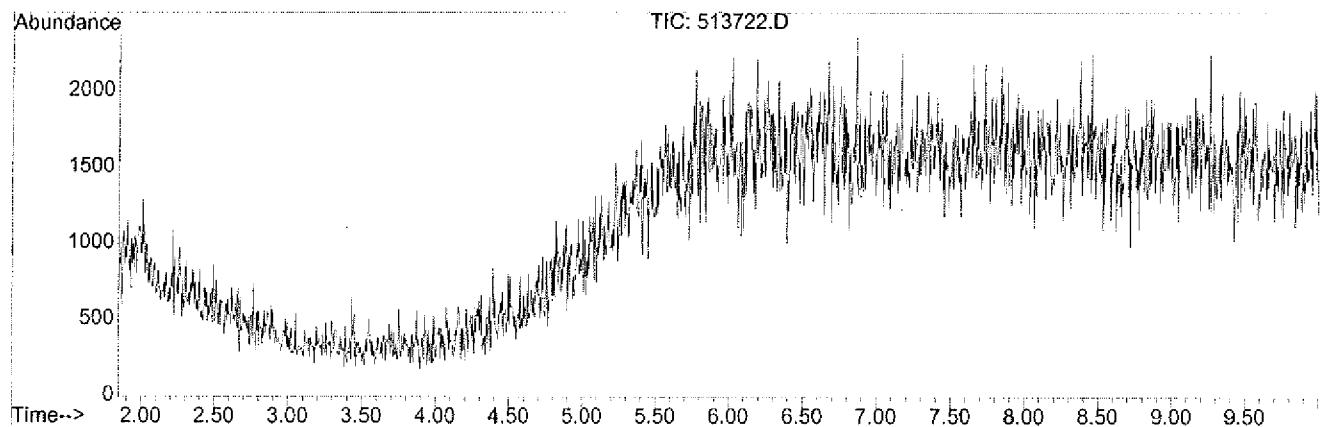


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Information from Data File:

File Name : E:\SYSTEM4\03\_08\_07\513722.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:09  
Sample Name : BLANK  
Submitted by : KAC  
Vial Number : 1  
AcquisitionMeth: DRUGS  
Integrator : RTE

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Ret. Time	Area	Area %	Ratio %
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\*\*\*NO INTEGRATED PEAKS\*\*\*

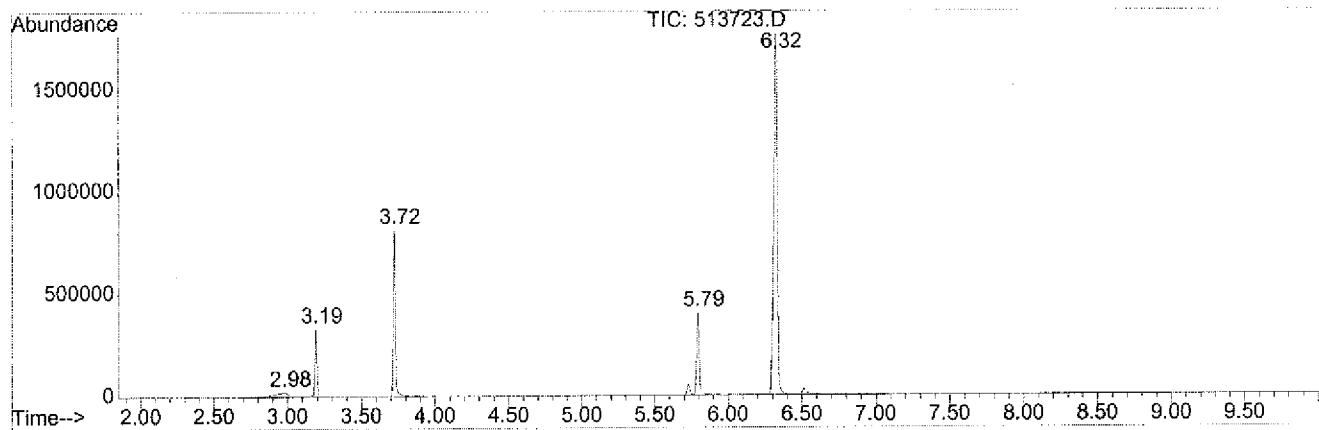
# Area Percent / Library Search Report

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**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513723.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:23  
Sample Name : XXXXXXXXXX  
Submitted by : KAC  
Vial Number : 23  
AcquisitionMeth: DRUGS  
Integrator : RTE

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Ret. Time	Area	Area %	Ratio %
2.979	119221	2.59	4.07
3.190	304565	6.61	10.40
3.719	778417	16.90	26.58
5.792	475965	10.33	16.25
6.321	2928722	63.57	100.00

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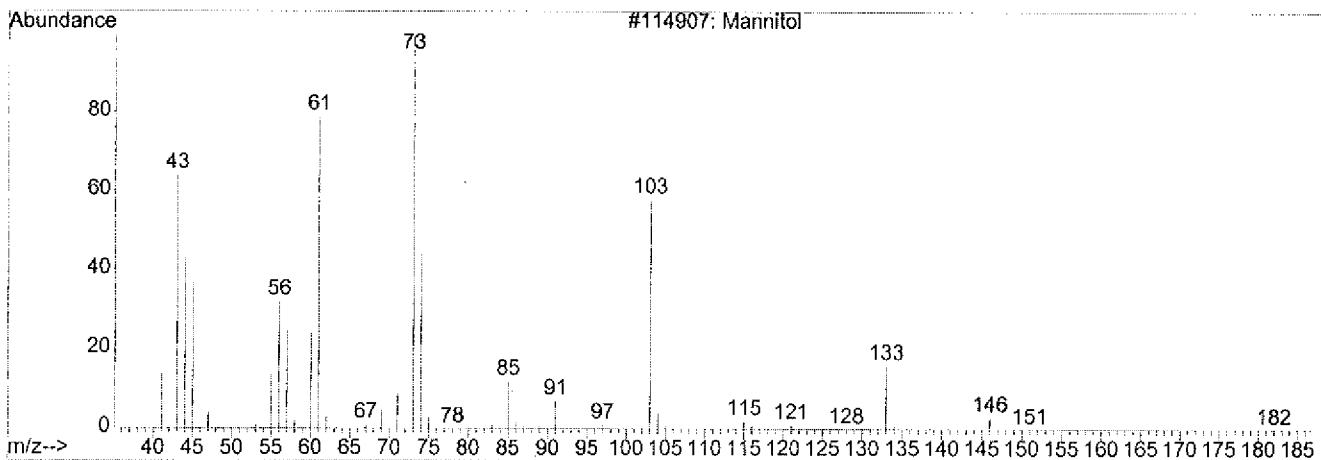
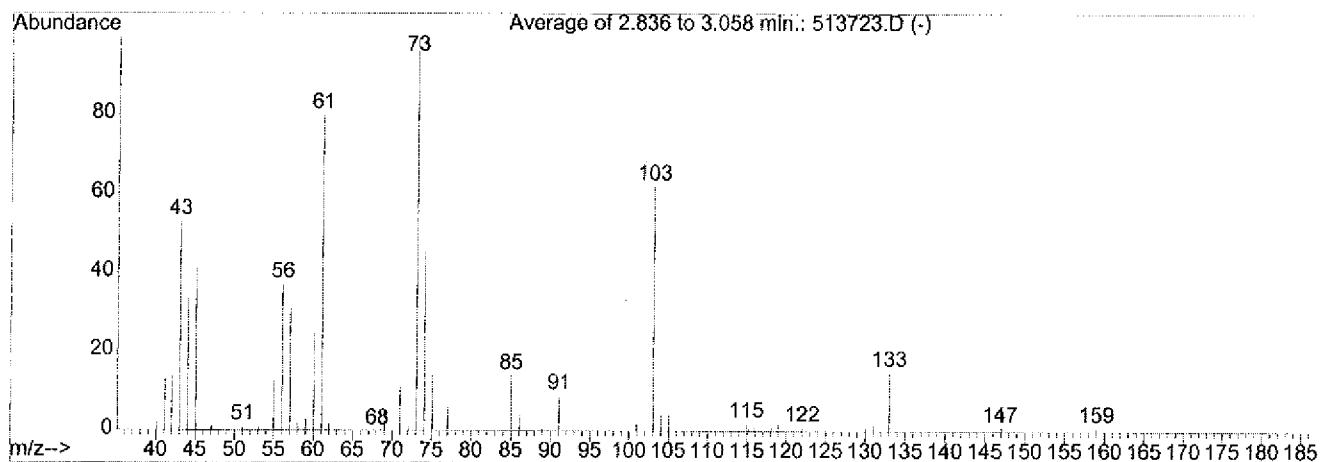
# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513723.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:23  
Sample Name : XXXXXXXXXX  
Submitted by : KAC  
Vial Number : 23  
AcquisitionMeth: DRUGS  
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
1	2.98	C:\DATABASE\NIST98.L		
		Mannitol	000069-65-8	90
		Sorbitol	000050-70-4	86
		Sorbitol	000050-70-4	83



# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513723.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:23  
Sample Name : XXXXXXXXXX  
Submitted by : KAC  
Vial Number : 23  
AcquisitionMeth: DRUGS  
Integrator : RTE

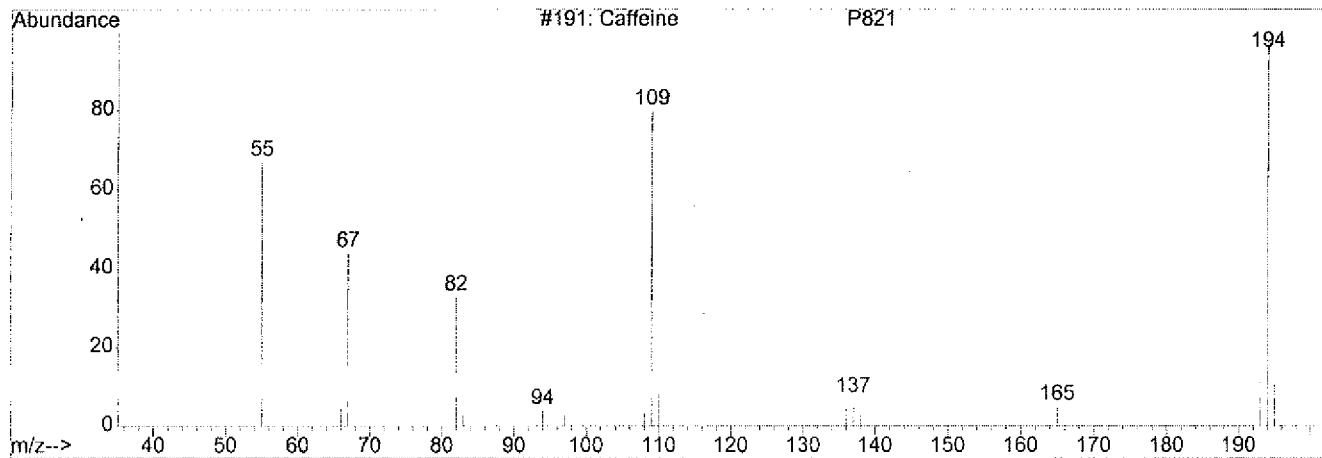
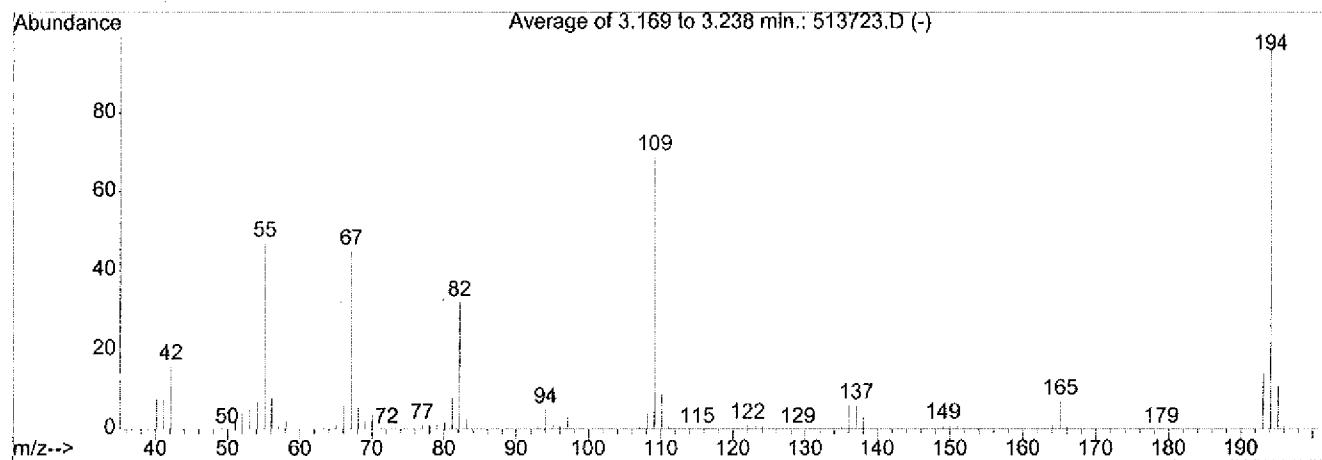
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Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

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PK#	RT	Library/ID	CAS#	Qual
2	3.19	C:\DATABASE\PMW_TOX2.L		
		Caffeine	000058-08-2	98
		Mescaline AC	000000-00-0	17
		Dichlorvos	000062-73-7	9

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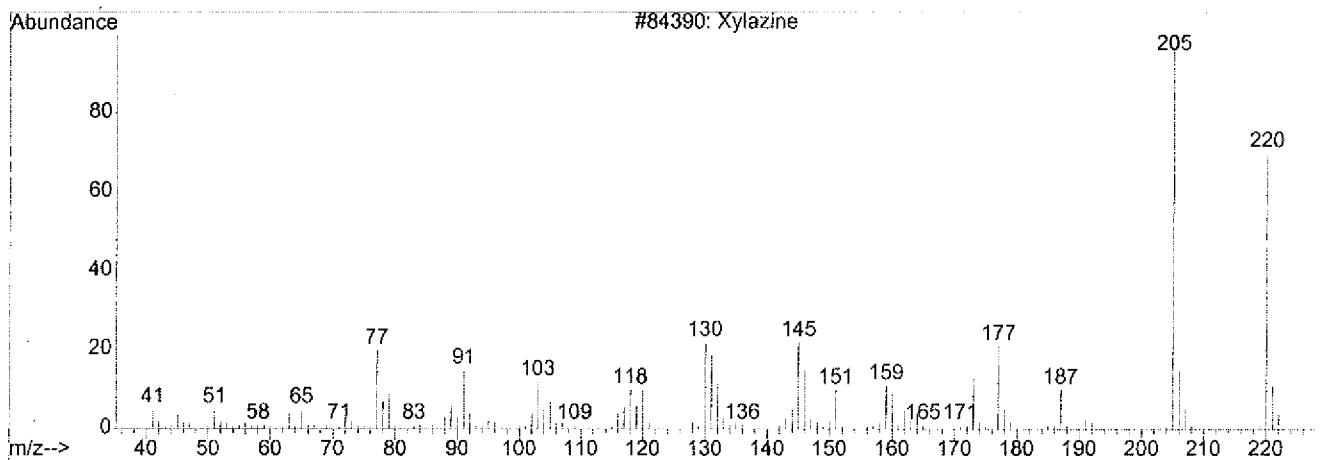
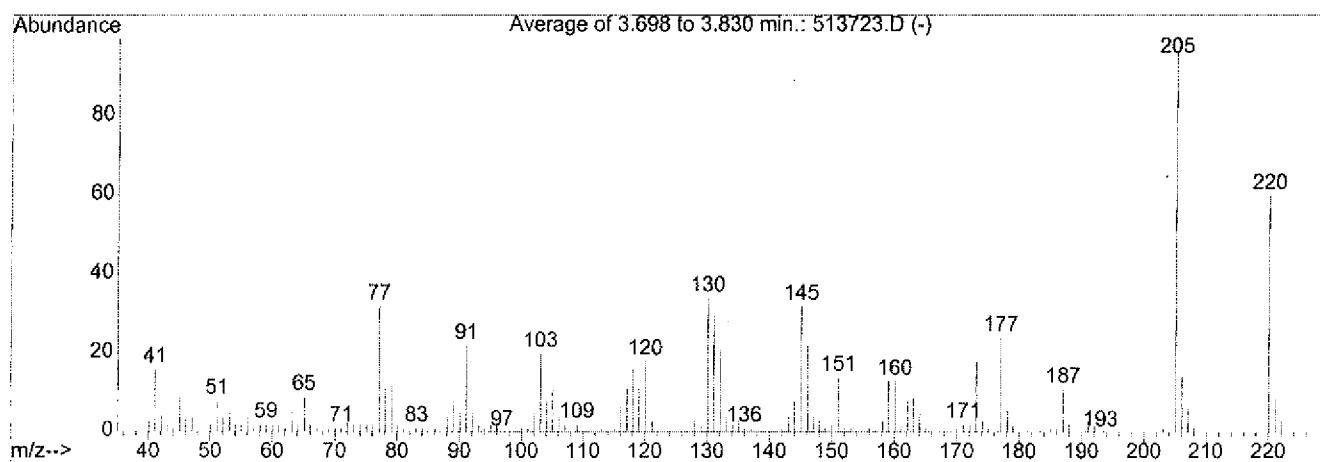
# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513723.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:23  
Sample Name : XXXXXXXXXX  
Submitted by : KAC  
Vial Number : 23  
AcquisitionMeth: DRUGS  
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
3	3.72	C:\DATABASE\NIST98.L		
		Xylazine	007361-61-7	99
		Xylazine	007361-61-7	98
		3,5-Cyclohexadiene-1,2-dione, 3,5-b	003383-21-9	50



# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513723.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:23  
Sample Name : XXXXXXXXXX  
Submitted by : KAC  
Vial Number : 23  
AcquisitionMeth: DRUGS  
Integrator : RTE

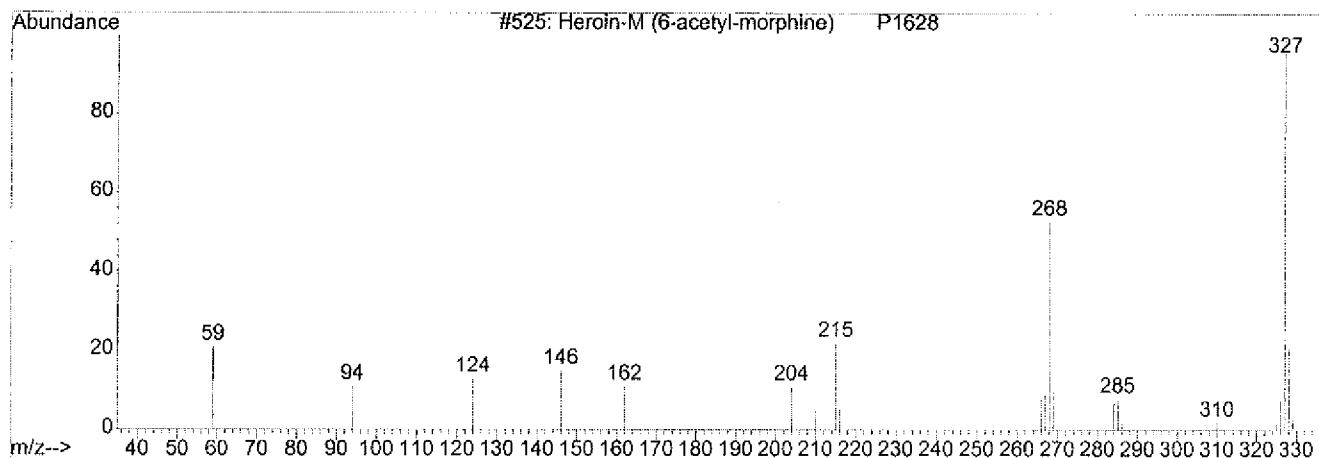
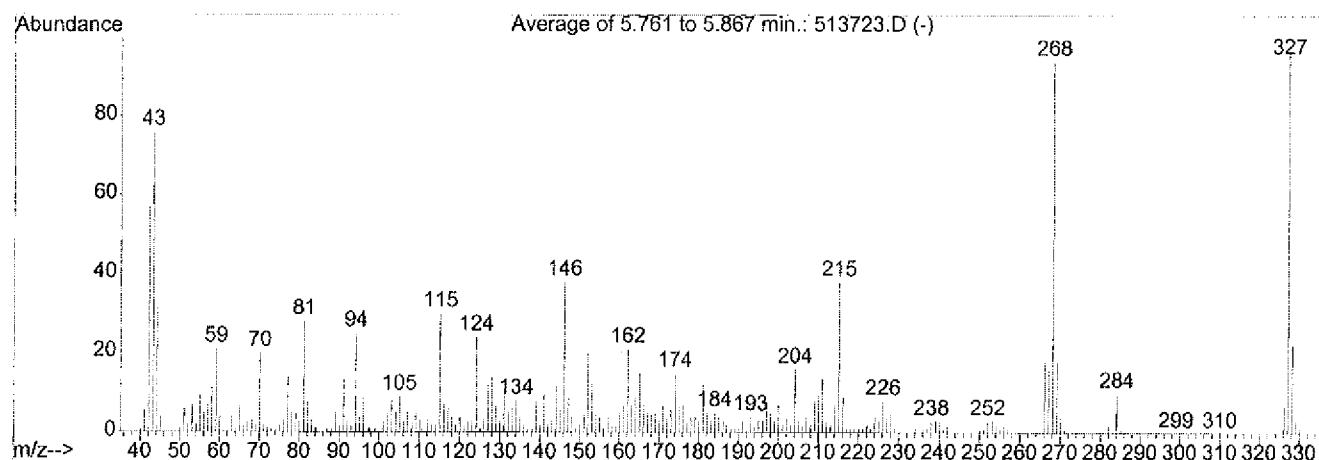
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Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

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PK#	RT	Library/ID	CAS#	Qual
4	5.79	C:\DATABASE\PMW_TOX2.L		
		Heroin-M (6-acetyl-morphine)	059833-14-6	94
		Heroin-M (3-acetyl-morphine)	000000-00-0	46
		Naloxone AC	000000-00-0	16

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# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513723.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 16:23  
Sample Name : XXXXXXXXXX  
Submitted by : KAC  
Vial Number : 23  
AcquisitionMeth: DRUGS  
Integrator : RTE

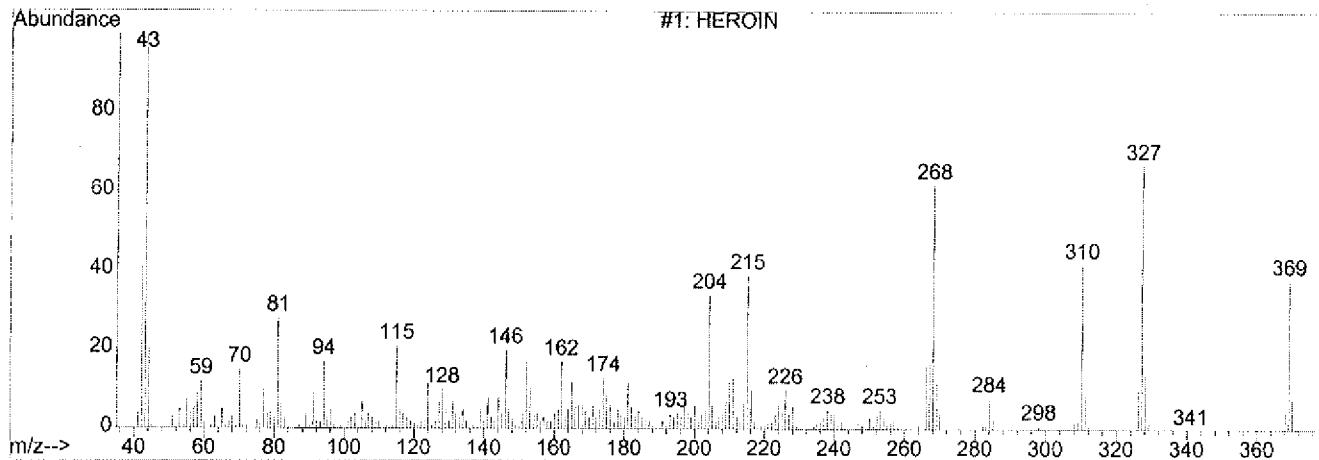
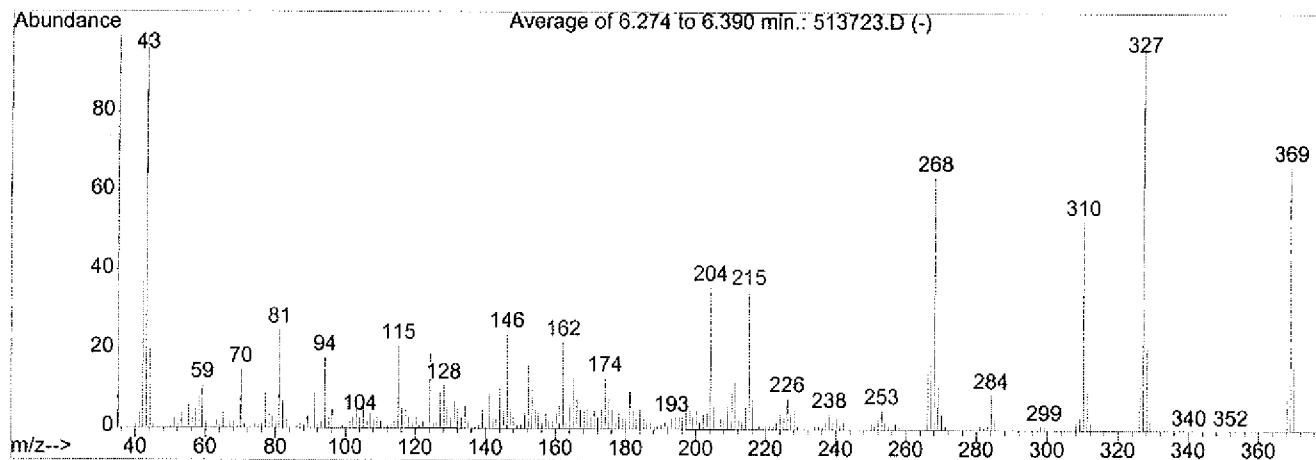
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Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

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PK#	RT	Library/ID	CAS#	Qual
5	6.32	C:\DATABASE\SLI.L HEROIN	000561-27-3	99

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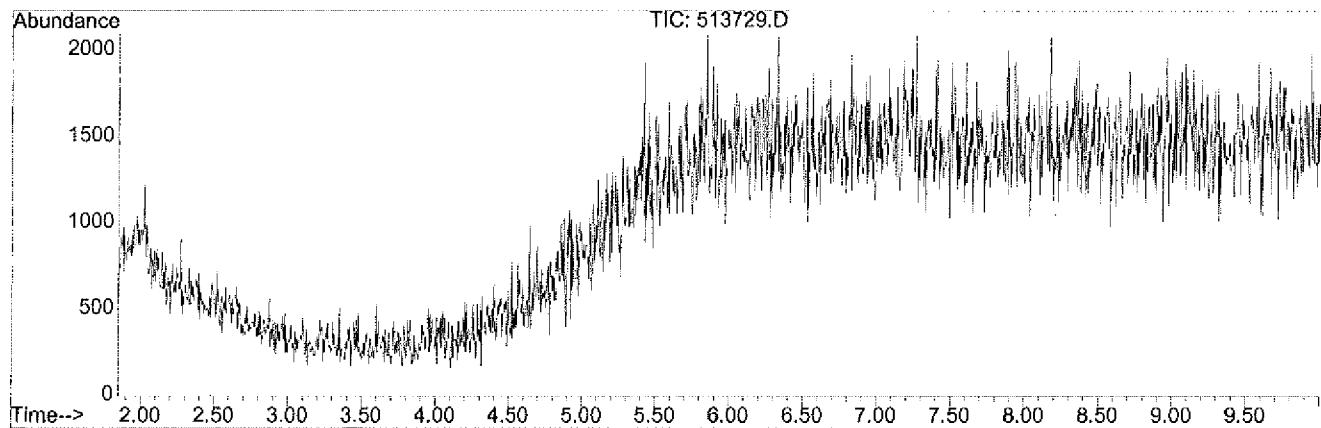
# Area Percent / Library Search Report

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## Information from Data File:

File Name : E:\SYSTEM4\03\_08\_07\513729.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 17:45  
Sample Name : BLANK  
Submitted by :  
Vial Number : 1  
AcquisitionMeth: DRUGS  
Integrator : RTE

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Ret. Time	Area	Area %	Ratio %
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\*\*\*NO INTEGRATED PEAKS\*\*\*

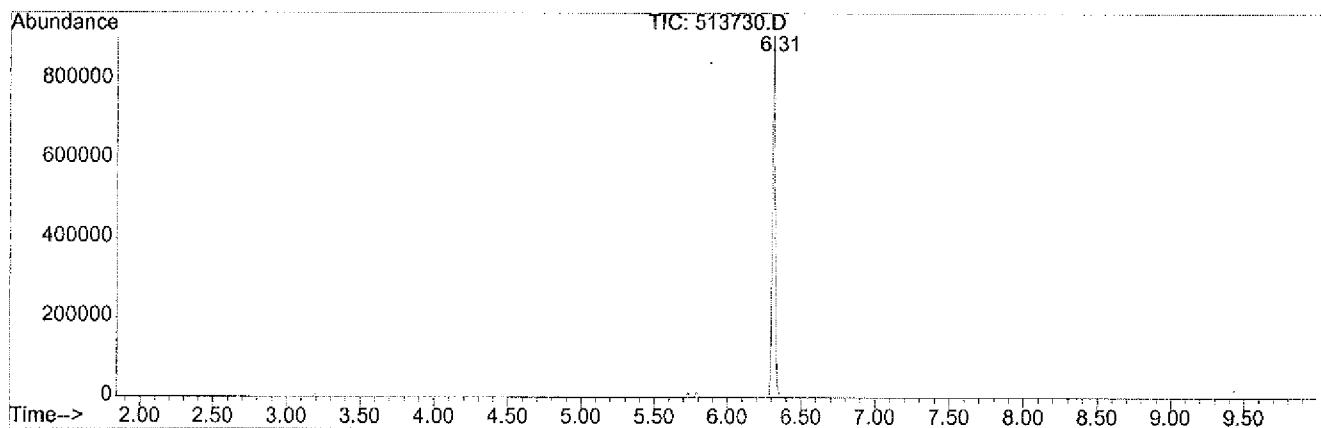
# Area Percent / Library Search Report

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## Information from Data File:

File Name : E:\SYSTEM4\03\_08\_07\513730.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 17:59  
Sample Name : HEROIN STD  
Submitted by :  
Vial Number : 30  
AcquisitionMeth: DRUGS  
Integrator : RTE

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Ret. Time	Area	Area %	Ratio %
6.312	1222093	100.00	100.00

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# Area Percent / Library Search Report

**Information from Data File:**

File Name : E:\SYSTEM4\03\_08\_07\513730.D  
Operator : NEM/P. PIRO  
Date Acquired : 8 Mar 2007 17:59  
Sample Name : HEROIN STD  
Submitted by :  
Vial Number : 30  
AcquisitionMeth: DRUGS  
Integrator : RTE

Search Libraries: C:\DATABASE\SLI.L Minimum Quality: 90  
C:\DATABASE\PMW\_TOX2.L Minimum Quality: 90  
C:\DATABASE\NIST98.L

PK#	RT	Library/ID	CAS#	Qual
1	6.31	C:\DATABASE\SLI.L HEROIN	000561-27-3	99

